

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Rudi Mueller-Walz  
SERIAL NUMBER: 10/574,334 EXAMINER : Nicoletta Kennedy  
FILING DATE: March 7, 2007 ART UNIT : 1611  
FOR: AEROSOL FORMULATIONS COMPRISING FORMOTEROL FUMARATE DIHYDRATE

**VIA EFS**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

The following items of information contained in this Supplemental Information Disclosure statement were first cited in the corresponding European Examiner's Report for the related European Application No. 04769711.5, which was communicated to Applicants' U.S. attorneys on September 8, 2009: A and B. This communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of the Supplemental Information Disclosure Statement under 37 C.F.R. §1.704(d).

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

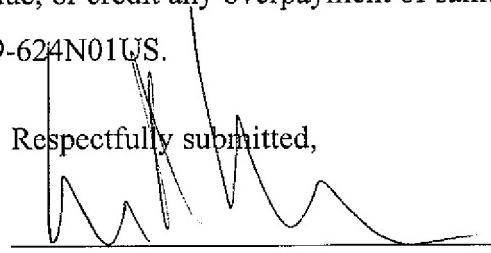
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U.S.S.N.: 10/574,334

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 28069-624N01US.

Respectfully submitted,

  
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Dated: October 7, 2009

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